

S.B.Cr.Misc. Bail App. No.4725/2007

(Kantiya vs. State of Rajasthan)

Date of order : September 24, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.P.N.Mohanani, for the petitioner.
Mr.Vishal Raj Mehta, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the challan papers.

It is contended by the learned counsel for the petitioner that there is no allegation of committing murder punishable under section 302 I.P.C. against the present petitioner. The present petitioner has been charged only for the offence under section 201 I.P.C. There being no evidence for concealing the offence. It is only that the petitioner got the site map verified. The allegation of committing murder of deceased Sumer Singh is against Devi Lal and Smt. Sita. Learned Public Prosecutor also submits that the allegation of murder is against Devi Lal and Smt. Sita. So far as present petitioner is concerned, the only allegation against him is for the offence under section 201 I.P.C.

Having regard to the facts and circumstances of the case

and taking into account the oral arguments advanced by both the parties, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Kantiya s/o Amarsingha be released on bail in CR. No.149/2007, P.S. Banera, provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-